

By: Campbell

S.B. No. 1868

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Needmore Ranch Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8471 to read as follows:

CHAPTER 8471. NEEDMORE RANCH MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8471.001. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "Commission" means the Texas Commission on Environmental Quality.

(3) "Director" means a board member.

(4) "District" means the Needmore Ranch Municipal Utility District No. 1.

Sec. 8471.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8471.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

1 Sec. 8471.004. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section 8471.003
3 until each municipality in whose corporate limits or
4 extraterritorial jurisdiction the district is located has
5 consented by ordinance or resolution to the creation of the
6 district and to the inclusion of land in the district.

7 Sec. 8471.005. LEGISLATIVE FINDINGS OF PUBLIC PURPOSE AND
8 BENEFIT. (a) The district is created to serve a public purpose and
9 benefit.

10 (b) The creation of the district is essential to accomplish
11 the purposes of:

12 (1) a municipal utility district as provided by
13 general law and Section 59, Article XVI, Texas Constitution;

14 (2) Section 52, Article III, Texas Constitution, that
15 relate to the construction, acquisition, improvement, operation,
16 or maintenance of macadamized, graveled, or paved roads, or
17 improvements, including storm drainage, in aid of those roads; and

18 (3) Section 52-a, Article III, Texas Constitution,
19 that relate to the development and diversification of the economy
20 of this state.

21 (c) The creation of the district is necessary to develop,
22 encourage, and maintain safety and the public welfare in the
23 district.

24 (d) All land and other property in the district will benefit
25 from the improvements and services to be provided by the district
26 under this chapter.

27 (e) The district will:

1 (1) seek and provide funding for the district to
2 maintain and enhance the economic health and vitality of the
3 territory in the district as a residential community and business
4 center; and

5 (2) provide for the preservation and conservation of
6 the natural resources within the district, while protecting private
7 property rights to develop and beneficially use those resources in
8 an organized and lawfully regulated manner.

9 (f) The district will not act as the agent or
10 instrumentality of any private interest even though the district
11 will benefit many private interests as well as the public.

12 Sec. 8471.006. INITIAL DISTRICT TERRITORY. (a) The
13 district is initially composed of the territory described by
14 Section 2 of the Act enacting this chapter.

15 (b) The boundaries and field notes contained in Section 2 of
16 the Act enacting this chapter form a closure. A mistake made in the
17 field notes or in copying the field notes in the legislative process
18 does not affect the district's:

19 (1) organization, existence, or validity;

20 (2) right to issue any type of bond for the purposes
21 for which the district is created or to pay the principal of and
22 interest on a bond;

23 (3) right to impose a tax; or

24 (4) legality or operation.

25 SUBCHAPTER B. BOARD OF DIRECTORS

26 Sec. 8471.051. GOVERNING BODY; TERMS. (a) The district is
27 governed by a board of five elected directors.

1 (b) Except as provided by Section 8471.052, directors serve
2 staggered four-year terms.

3 Sec. 8471.052. TEMPORARY DIRECTORS. (a) On or after the
4 effective date of the Act enacting this chapter, the owner or owners
5 of a majority of the assessed value of the real property in the
6 district may submit a petition to the commission requesting that
7 the commission appoint as temporary directors the five persons
8 named in the petition. The commission shall appoint as temporary
9 directors the five persons named in the petition.

10 (b) Temporary directors serve until the earlier of:

11 (1) the date permanent directors are elected under
12 Section 8471.003; or

13 (2) the fourth anniversary of the effective date of
14 the Act enacting this chapter.

15 (c) If permanent directors have not been elected under
16 Section 8471.003 and the terms of the temporary directors have
17 expired, successor temporary directors shall be appointed or
18 reappointed as provided by Subsection (d) to serve terms that
19 expire on the earlier of:

20 (1) the date permanent directors are elected under
21 Section 8471.003; or

22 (2) the fourth anniversary of the date of the
23 appointment or reappointment.

24 (d) If Subsection (c) applies, the owner or owners of a
25 majority of the assessed value of the real property in the district
26 may submit a petition to the commission requesting that the
27 commission appoint as successor temporary directors the five

1 persons named in the petition. The commission shall appoint as
2 successor temporary directors the five persons named in the
3 petition.

4 SUBCHAPTER C. POWERS AND DUTIES

5 Sec. 8471.101. GENERAL POWERS AND DUTIES. The district has
6 the powers and duties necessary to accomplish the purposes for
7 which the district is created.

8 Sec. 8471.102. MUNICIPAL UTILITY DISTRICT POWERS AND
9 DUTIES. The district has the powers and duties provided by the
10 general law of this state, including Chapters 49 and 54, Water Code,
11 applicable to municipal utility districts created under Section 59,
12 Article XVI, Texas Constitution.

13 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

14 Sec. 8471.151. ELECTIONS REGARDING TAXES OR BONDS.

15 (a) The district may issue, without an election, bonds and other
16 obligations secured by:

17 (1) revenue other than ad valorem taxes; or

18 (2) contract payments described by Section 8471.153.

19 (b) The district must hold an election in the manner
20 provided by Chapters 49 and 54, Water Code, to obtain voter approval
21 before the district may impose an ad valorem tax or issue bonds
22 payable from ad valorem taxes.

23 Sec. 8471.152. OPERATION AND MAINTENANCE TAX. (a) If
24 authorized at an election held under Section 8471.151, the district
25 may impose an operation and maintenance tax on taxable property in
26 the district in accordance with Section 49.107, Water Code.

27 (b) The board shall determine the tax rate. The rate may not

1 exceed the rate approved at the election.

2 Sec. 8471.153. CONTRACT TAXES. (a) In accordance with
3 Section 49.108, Water Code, the district may impose a tax other than
4 an operation and maintenance tax and use the revenue derived from
5 the tax to make payments under a contract after the provisions of
6 the contract have been approved by a majority of the district voters
7 voting at an election held for that purpose.

8 (b) A contract approved by the district voters may contain a
9 provision stating that the contract may be modified or amended by
10 the board without further voter approval.

11 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

12 Sec. 8471.201. AUTHORITY TO ISSUE BONDS AND OTHER
13 OBLIGATIONS. The district may issue bonds or other obligations
14 payable wholly or partly from ad valorem taxes, impact fees,
15 revenue, contract payments, grants, or other district money, or any
16 combination of those sources, to pay for any authorized district
17 purpose.

18 Sec. 8471.202. TAXES FOR BONDS. (a) At the time the
19 district issues bonds payable wholly or partly from ad valorem
20 taxes, the board shall provide for the annual imposition of a
21 continuing direct ad valorem tax, without limit as to rate or
22 amount, while all or part of the bonds are outstanding as required
23 and in the manner provided by Sections 54.601 and 54.602, Water
24 Code.

25 (b) The board's order to issue bonds and impose an ad
26 valorem tax must provide that on retirement of the bonds for which
27 the tax is originally authorized, unless a subsequent bond election

1 authorizes a continuation of the tax, the imposition of the tax,
2 including the district's authority to assess and collect the tax,
3 ends.

4 SECTION 2. The Needmore Ranch Municipal Utility District
5 No. 1 initially includes all the territory contained in the
6 following area, except that portion of the territory located in the
7 extraterritorial jurisdiction of the Village of Wimberly, Texas, as
8 that jurisdiction existed on January 1, 2013:

9 TRACT 1 - 5003.632 ACRES

10 LEGAL DESCRIPTION: BEING 5003.632 ACRES OF LAND LYING IN AND BEING
11 SITUATED OUT OF THE:

12 DAVID WILSON SURVEY, ABSTRACT 476

13 BENJAMIN WEED SURVEY, ABSTRACT 483

14 DAY LAND AND CATTLE COMPANY SURVEY, ABSTRACT 672

15 F.W. ROBERTSON SURVEY, ABSTRACT 385

16 HUGH G. PANNELL SURVEY, ABSTRACT 368

17 T.C. RAILROAD CO. SURVEY, ABSTRACT 696

18 M.E. ANDREWS SURVEY, ABSTRACT 659

19 MARGARET DUNN SURVEY, ABSTRACT 147

20 ROBERT S. LOVE SURVEY, ABSTRACT 283

21 WILLIAM GRAY SURVEY, ABSTRACT 192

22 AND SAN GERONIMO IRRIGATION CO. SURVEY, ABSTRACT 535

23 ALL IN HAYS COUNTY, TEXAS AND BEING

24 A PORTION OF THAT CERTAIN 4,924.865 ACRE TRACT OF LAND CONVEYED TO
25 O'QUINN LAND & CATTLE CO., LTD. BY DEED RECORDED IN DOCUMENT NO.
26 9927995 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS;

27 ALL OF THAT CERTAIN 5.018 ACRE TRACT OF LAND CONVEYED TO O'QUINN

1 LAND & CATTLE CO., LTD. BY DEED RECORDED IN DOCUMENT NO. 9927995 OF
2 THE DEED RECORDS OF HAYS COUNTY, TEXAS;
3 AND ALL OF THAT CERTAIN 324.442 ACRE TRACT OF LAND CONVEYED TO
4 O'QUINN LAND & CATTLE CO., LTD. BY DEED RECORDED IN VOLUME 1950,
5 PAGE 237 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS;
6 SAID 5003.632 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS
7 AND AS SURVEYED ON THE GROUND UNDER THE SUPERVISION OF JAMES E.
8 GARON, REGISTERED PROFESSIONAL LAND SURVEYOR IN AUGUST, 2010 AND
9 JANUARY 2011:
10 BEGINNING at a 1/2" iron rod found for an angle point in the west
11 line of the San Geronimo Irrigation Co. Survey, Abstract 535 and
12 that certain 418.49 acre tract of land conveyed to Big Oak Ranch, LP
13 by deed recorded in Volume 2616, Page 93 of said deed records for
14 the southeast corner of the William Gray Survey, Abstract 192 and
15 that certain 13.817 acre tract of land conveyed to Kent Keith by
16 deed recorded in Volume 2639, Page 309 of said deed records and a
17 corner of the David Wilson Survey, Abstract 476;
18 THENCE along said west line, common with the David Wilson Survey, S
19 46°32'53" E a distance of 2631.83 feet to an angle point and S
20 46°40'47" E a distance of 274.89 feet to a 3/8" iron rod found for
21 the southerly corner of said Big Oak Ranch, LP 418.49 acre tract and
22 the westerly corner of said O'Quinn Land & Cattle Co., LTD 5.018
23 acre tract;
24 THENCE with said 5.018 acre tract the following three (3) calls:
25 1. N 44°43'39" E a distance of 814.44 feet to a 1/2" iron rod found
26 for the northerly corner of said 5.018 acre tract;
27 2. S 27°06'39" E a distance of 274.32 feet along the southwesterly

1 line of Homestead Road as dedicated by plat of The Highlands Section
2 "B" recorded in Volume 1, Page 178 of the plat records of Hays
3 County, Texas to a 1/2" iron rod found for the easterly corner of
4 said 5.018 acre tract and northerly corner of Lot 69, The Highlands
5 Section "B";

6 3. S 41°19'12" W a distance of 726.51 feet to a 3/8" iron rod found
7 on the common line of the San Geronimo Irrigation Co. Survey,
8 Abstract 535 and Robert S. Love Survey, Abstract 283 for the
9 westerly corner of Lot 69 and southerly corner of said 5.018 acre
10 tract;

11 THENCE S 45°39'21" E a distance of 1023.72 feet along said line to a
12 fence corner post found for the easterly corner of said O'Quinn Land
13 & Cattle Co., LTD 4924.865 acre tract and northerly corner of that
14 certain 1203.9 acre tract of land conveyed to Joe Freeman and Harold
15 Freeman by deed recorded in Volume 122, Page 158 of said deed
16 records;

17 THENCE S 44°07'25" W a distance of 8989.63 feet to a 1/2" iron rod
18 found on the northeasterly line of Fulton Ranch Road for the
19 westerly corner of said Freeman 1203.9 acre tract;

20 THENCE S 42°06'01" W a distance of 47.36 feet to a point on the
21 southwesterly line of Fulton Ranch Road for corner;

22 THENCE S 46°27'42" E a distance of 4.21 feet with said line to a
23 point on the northerly line of that certain 37.535 acre strip of
24 land conveyed to Hays County, Texas for road easement (Fulton Ranch
25 Road) purposes by deed recorded in Volume 2507, Page 881 of said
26 deed records;

27 THENCE with said 37.535 acre strip of land the following sixty (60)

1 calls:

- 2 1. a length of 1538.88 feet along the arc of a curve to the right
3 having a radius of 1770.00 feet and a chord bearing N 86°25'18" W a
4 distance of 1490.87 feet to an iron rod set for endpoint;
- 5 2. N 61°30'52" W a distance of 293.82 feet to an iron rod set for
6 the beginning of a curve to the left;
- 7 3. a length of 142.44 feet along the arc of said curve to the left
8 having a radius of 600.00 feet and a chord bearing N 68°18'56" W a
9 distance of 142.11 feet to an iron rod set for endpoint,
- 10 4. N 75°07'00" W a distance of 114.15 feet to an iron rod set for
11 the beginning of a curve to the right;
- 12 5. a length of 158.57 feet along the arc of said curve to the right
13 having a radius of 670.00 feet and a chord bearing N 68°20'12" W a
14 distance of 158.20 feet to an iron rod set for endpoint,
- 15 6. N 61°33'24" W a distance of 238.29 feet to an iron rod set for
16 the beginning of a curve to the right;
- 17 7. a length of 291.20 feet along the arc of said curve to the right
18 having a radius of 870.00 feet and a chord bearing N 51°58'04" W a
19 distance of 289.85 feet to an iron rod set for endpoint,
- 20 8. N 42°22'44" W a distance of 138.33 feet to an Iron rod set for
21 the beginning of a curve to the left;
- 22 9. a length of 238.07 feet along the arc of said curve to the left
23 having a radius of 830.00 feet and a chord bearing N 50°35'46" W a
24 distance of 237.26 feet to an iron rod set for endpoint,
- 25 10. N 58°48'48" W a distance of 74.93 feet to an iron rod set for
26 the beginning of a curve to the right;
- 27 11. a length of 215.71 feet along the arc of said curve to the

1 right having a radius of 570.00 feet and a chord bearing N 47°58'19"
2 W a distance of 214.42 feet to an iron rod set for endpoint,
3 12. N 37°07'51" W a distance of 334.54 feet to an iron rod set for
4 the beginning of a curve to the left;
5 13. a length of 62.48 feet along the arc of said curve to the left
6 having a radius of 630.00 feet and a chord bearing N 39°58'18" W a
7 distance of 62.45 feet to an iron rod set for endpoint,
8 14. N 42°48'45" W a distance of 664.85 feet to an iron rod set for
9 the beginning of a curve to the right;
10 15. a length of 47.16 feet along the arc of said curve to the right
11 having a radius of 370.00 feet and a chord bearing N 39°09'41" W a
12 distance of 47.12 feet to an iron rod set for endpoint,
13 16. N 35°30'37" W a distance of 272.51 feet to an iron rod set for
14 the beginning of a curve to the left;
15 17. a length of 31.09 feet along the arc of said curve to the left
16 having a radius of 430.00 feet and a chord bearing N 37°34'53" W a
17 distance of 31.08 feet to an iron rod set for endpoint,
18 18. N 39°39'09" W a distance of 211.70 feet to an iron rod set for
19 the beginning of a curve to the right;
20 19. a length of 92.03 feet along the arc of said curve to the right
21 having a radius of 370.00 feet and a chord bearing N 32°31'36" W a
22 distance of 91.80 feet to an iron rod set for endpoint,
23 20. N 25°24'03" W a distance of 168.36 feet to an iron rod set for
24 the beginning of a curve to the left;
25 21. a length of 351.70 feet along the arc of said curve to the left
26 having a radius of 730.00 feet and a chord bearing N 39°12'10" W a
27 distance of 348.31 feet .to an iron rod set for endpoint,

- 1 22. N 53°00'18" W a distance of 186.99 feet to an iron rod set for
2 the beginning of a curve to the right;
- 3 23. a length of 48.79 feet along the arc of said curve to the right
4 having a radius of 370.00 feet and a chord bearing N 49°13'37" W a
5 distance of 48.76 feet to an iron rod set for endpoint,
- 6 24. N 45°26'57" W a distance of 212.79 feet to an iron rod set for
7 the beginning of a curve to the left;
- 8 25. a length of 220.34 feet along the arc of said curve to the left
9 having a radius of 280.00 feet and a chord bearing N 67°59'36" W a
10 distance of 214.70 feet to an iron rod set for endpoint,
- 11 26. S 89°27'45" W a distance of 99.93 feet to an iron rod set for
12 the beginning of a curve to the left;
- 13 27. a length of 308.80 feet along the arc of said curve to the left
14 having a radius of 1130.00 feet and a chord bearing S 81°38'02" W a
15 distance of 307.84 feet to an iron rod set for endpoint,
- 16 28. S 73°48'18" W a distance of 555.94 feet to an iron rod set for
17 the beginning of a curve to the right;
- 18 29. a length of 423.10 feet along the arc of said curve to the
19 right having a radius of 2070.00 feet and a chord bearing S 79°39'38"
20 W a distance of 422.36 feet to an iron rod set for endpoint;
- 21 30. S 85°30'58" W a distance of 272.11 feet to an iron rod set for
22 the beginning of a curve to the right;
- 23 31. a length of 261.29 feet along the arc of said curve to the
24 right having a radius of 370.00 feet and a chord bearing N 74°15'10"
25 W a distance of 255.90 feet to an iron rod set for endpoint,
- 26 32. N 54°01'18" W a distance of 179.15 feet to an iron rod set for
27 the beginning of a curve to the left;

- 1 33. a length of 258.03 feet along the arc of said curve to the left
2 having a radius of 380.00 feet and a chord bearing N 73°28'26" W a
3 distance of 253.10 feet to an iron rod set for endpoint,
4 34. S 87°04'25" W a distance of 451.60 feet to an iron rod set for
5 the beginning of a curve to the left;
6 35. a length of 150.89 feet along the arc of said curve to the left
7 having a radius of 630.00 feet and a chord bearing S 80°12'44" W a
8 distance of 150.53 feet to an iron rod set for endpoint,
9 36. S 73°21'03" W a distance of 92.66 feet to an iron rod set for
10 the beginning of a curve to the right;
11 37. a length of 384.14 feet along the arc of said curve to the
12 right having a radius of 520.00 feet and a chord bearing N 85°29'11"
13 W a distance of 375.46 feet to an iron rod set for endpoint,
14 38. N 64°19'24" W a distance of 5272.10 feet to an iron rod set for
15 the beginning of a curve to the right;
16 39. a length of 188.61 feet along the arc of said curve to the
17 right having a radius of 170.00 feet and a chord bearing N 32°32'22"
18 W a distance of 179.08 feet to an iron rod set for endpoint,
19 40. N 00°31'45" W a distance of 3534.51 feet to an iron rod set for
20 the beginning of a curve to the right;
21 41. a length of 578.82 feet along the arc of said curve to the
22 right having a radius of 370.00 feet and a chord bearing N 44°26'44"
23 E a distance of 521.58 feet to an iron rod set for endpoint,
24 42. N 89°23'02" E a distance of 632.34 feet to an iron rod set for
25 the beginning of a curve to the left;
26 43. a length of 159.30 feet along the arc of said curve to the left
27 having a radius of 105.00 feet and a chord bearing N 45°55'14" E a

1 distance of 144.46 feet to an iron rod set for endpoint,
2 44. N 02°27'27" E a distance of 179.23 feet to an iron rod set for
3 the beginning of a curve to the right;
4 45. a length of 242.43 feet along the arc of said curve to the
5 right having a radius of 370.00 feet and a chord bearing N 21°13'40"
6 E a distance of 238.11 feet to an iron rod set for endpoint,
7 46. N 39°59'53" E a distance of 440.24 feet to an iron rod set for
8 the beginning of a curve to the left;
9 47. a length of 807.38 feet along the arc of said curve to the left
10 having a radius of 2530.00 feet and a chord bearing N 30°51'22" E a
11 distance of 803.95 feet to an iron rod set for endpoint,
12 48. N 21°42'50" E a distance of 579.37 feet to an iron rod set for
13 the beginning of a curve to the left;
14 49. a length of 431.25 feet along the arc of said curve to the left
15 having a radius of 1430.00 feet and a chord bearing N 13°04'28" E a
16 distance of 429.62 feet to an iron rod set for endpoint,
17 50. N 04°26'06" E a distance of 142.88 feet to an iron rod set for
18 the beginning of a curve to the right;
19 51. a length of 783.56 feet along the arc of said curve to the
20 right having a radius of 370.00 feet and a chord bearing N 65°06'11"
21 E a distance of 645.13 feet to an iron rod set for endpoint,
22 52. S 54°13'43" E a distance of 603.97 feet to an iron rod set for
23 the beginning of a curve to the left;
24 53. a length of 589.99 feet along the arc of said curve to the left
25 having a radius of 430.00 feet and a chord bearing N 86°27'52" E a
26 distance of 544.79 feet to an iron rod set for endpoint,
27 54. N 47°09'28" E a distance of 303.91 feet to an iron rod set for

1 the beginning of a curve to the right;
2 55. a length of 937.31 feet along the arc of said curve to the
3 right having a radius of 745.00 feet and a chord bearing N 83°12'03"
4 E a distance of 876.71 feet to an iron rod set for endpoint,
5 56. S 60°45'22" E a distance of 102.31 feet to an iron rod set for
6 the beginning of a curve to the left;
7 57. a length of 345.31 feet along the arc of said curve to the left
8 having a radius of 630.00 feet and a chord bearing S 76°27'30" E a
9 distance of 341.00 feet to an iron rod set for endpoint,
10 58. N 87°50'22" E a distance of 234.12 feet to an iron rod set for
11 the beginning of a curve to the left;
12 59. a length of 278.36 feet along the arc of said curve to the left
13 having a radius of 405.00 feet and a chord bearing N 68°08'58" E a
14 distance of 272.91 feet to an iron rod set for endpoint,
15 60. S 44°51'54" E a distance of 3.67 feet to an iron rod set on the
16 easterly line of a that certain 75' right-of-way dedication to Hays
17 County, Texas for Fulton Ranch Road recorded in Volume 2028, Page
18 544 of said deed records;
19 THENCE continuing along the easterly right-of-way of Fulton Ranch
20 Road the following eighteen (18) calls:
21 1. a length of 446.38 feet along the arc of a curve to the left
22 having a radius of 337.50 feet and a chord bearing N 08°10'14" E a
23 distance of 414.55 feet to an iron rod set for endpoint,
24 2. N 29°43'10" W a distance of 174.44 feet to an iron rod set for
25 the beginning of a curve to the left;
26 3. a length of 161.10 feet along the arc of said curve to the left
27 having a radius of 339.50 feet and a chord bearing N 16°07'33" W a

- 1 distance of 159.59 feet to an iron rod set for endpoint,
- 2 4. N 02°31'56" W a distance of 420.28 feet to an iron rod set for
- 3 the beginning of a curve to the left;
- 4 5. a length of 813.14 feet along the arc of said curve to the left
- 5 having a radius of 729.50 feet and a chord bearing N 34°27'52" W a
- 6 distance of 771.69 feet to an iron rod set for endpoint,
- 7 6. N 69°12'36" W a distance of 588.69 feet to an iron rod set for
- 8 the beginning of a curve to the right;
- 9 7. a length of 408.25 feet along the arc of said curve to the right
- 10 having a radius of 662.50 feet and a chord bearing N 51°33'24" W a
- 11 distance of 401.82 feet to an iron rod set for endpoint,
- 12 8. N 33°35'41" W a distance of 251.05 feet to an iron rod set for
- 13 the beginning of a curve to the right;
- 14 9. a length of 38.96 feet along the arc of said curve to the right
- 15 having a radius of 262.50 feet and a chord bearing N 29°20'37" W a
- 16 distance of 38.92 feet to an iron rod set for endpoint,
- 17 10. N 25°05'33" W a distance of 269.77 feet to an iron rod set for
- 18 the beginning of a curve to the right;
- 19 11. a length of 109.75 feet along the arc of said curve to the
- 20 right having a radius of 262.50 feet and a chord bearing N 12°32'53"
- 21 W a distance of 108.95 feet to an iron rod set for endpoint;
- 22 12. N 00°34'15" W a distance of 807.10 feet to an iron rod set for
- 23 angle point;
- 24 13. N 01°17'19" W a distance of 283.82 feet to an iron rod set for
- 25 the beginning of a curve to the left;
- 26 14. a length of 502.03 feet along the arc of said curve to the left
- 27 having a radius of 337.50 feet and a chord bearing N 43°54'10" W a

1 distance of 457.01 feet to an iron rod set for endpoint,
2 15. N 86°31'01" W a distance of 71.00 feet to an iron rod set for
3 the beginning of a curve to the left;
4 16. a length of 195.52 feet along the arc of said curve to the left
5 having a radius of 287.50 feet and a chord bearing S 74°00'03" W a
6 distance of 191.77 feet to an iron rod set for endpoint
7 17. S 54°31'07" W a distance of 194.97 feet to an iron rod set for
8 the beginning of a curve to the right;
9 18. a length of 5.73 feet along the arc of said curve to the right
10 having a radius of 162.40 feet and a chord bearing S 55°31'44" W a
11 distance of 5.73 feet to an iron rod set for endpoint,
12 THENCE N 14°03'03" W a distance of 204.20 feet to an iron rod set for
13 corner;
14 THENCE N 37°18'46" E a distance of 103.88 feet to a fence post found
15 for angle point;
16 THENCE N 59°09'46" W a distance of 12.53 feet to an angle point and N
17 50°46'24" W a distance of 26.95 feet to a point on the bank of the
18 Blanco River;
19 THENCE downstream with the bank of the Blanco River the following
20 twenty-six (26) calls:
21 1. N 29°11'43" E a distance of 233.50 feet;
22 2. N 20°18'00" E a distance of 173.47 feet;
23 3. N 29°59'40" E a distance of 155.61 feet;
24 4. N 39°30'45" E a distance of 243.10 feet;
25 5. N 51°29'39" E a distance of 192.25 feet;
26 6. N 52°29'58" E a distance of 253.06 feet;
27 7. N 68°47'27" E a distance of 400.98 feet;

1 8. N 84°52'19" E a distance of 222.11 feet;
2 9. S 85°28'03" E a distance of 211.65 feet;
3 10. S 61°48'59" E a distance of 220.30 feet;
4 11. S 43°14'04" E a distance of 236.01 feet;
5 12. S 20°46'57" E a distance of 250.74 feet;
6 13. S 22°35'03" E a distance of 417.23 feet;
7 14. S 45°54'45" E a distance of 378.32 feet;
8 15. S 71°18'30" E distance of 238.22 feet;
9 16. S 03°49'52" E a distance of 32.54 feet;
10 17. S 60°25'14" E a distance of 298.43 feet;
11 18. S 76°54'01" E a distance of 217.47 feet;
12 19. S 87°14'30" E a distance of 229.31 feet;
13 20. N 68°08'23" E a distance of 241.37 feet;
14 21. N 52°14'05" E a distance of 295.18 feet;
15 22. N 44°17'11" E a distance of 161.63 feet;
16 23. N 24°55'35" E a distance of 618.53 feet;
17 24. N 36°53'33" E a distance of 503.94 feet;
18 25. N 49°57'59" E a distance of 354.65 feet;
19 26. N 01°32'16" E a distance of 103.74 feet;
20 THENCE N 41°30'09" E a distance of 173.14 feet to a point in the
21 approximate center of the Blanco River and N 50°22' 14" E a distance
22 of 435.86 feet to a point on the bank of the Blanco River and
23 easterly line of that certain 125.73 acre tract of land conveyed to
24 the Texas State Teacher's College (now Texas State) by deed
25 recorded in Volume 148, Page 636 of said deed records;
26 THENCE continuing with the east line of said Texas State Teacher's
27 College (now Texas State) 125.73 acre tract the following five (5)

1 calls:

2 1. N 43°58'02" E a distance of 241.76 feet to a 3/8" iron rod found
3 for angle point;

4 2. N 41°35'40" E a distance of 418.28 feet to a 1/2" iron rod found
5 at a fence corner;

6 3. N 23°38'18" E a distance of 331.10 feet to a fence post found for
7 angle point;

8 4. N 13°19'17" E a distance of 204.76 feet to a 3/8" iron rod found
9 at a fence intersection;

10 5. N 24°25'41" E a distance of 188.16 feet to a 3/8" iron rod found
11 at a fence corner post on the north line of the Day Land & Cattle Co.
12 Survey, Abstract 672 for the common corner of Lots 2H and 2J;
13 Resubdivision of Tract 2 River Creek Subdivision as recorded by
14 plat in Volume 7, Page 207 of said plat records;

15 THENCE along said survey line and south line of said subdivision the
16 following three (3) calls:

17 1. N 89°33'46" E a distance of 1569.75 feet to a fence post found
18 for angle point;

19 2. N 89°53'46" E a distance of 374.77 feet to an iron rod set for
20 angle point;

21 3. N 88°48'14" E a distance of 648.73 feet to a 3/8" iron rod found
22 at a fence corner post for the common corner of Lot 2G,
23 Resubdivision of Tract 2 River Creek Subdivision and Lot 3A;
24 Resubdivision of Tract 3 River Creek Subdivision as recorded by
25 plat in Volume 7, Page 398 of said plat records;

26 THENCE continuing along the westerly line of Lot 3A the following
27 three (3) calls:

- 1 1. S 24°15'38" E a distance of 111.08 feet to a 3/8" iron rod found
2 in tree for angle point;
- 3 2. S 52°51'51" E a distance of 212.24 feet to a 3/8" iron rod found
4 at fence post for angle point;
- 5 3. S 36°55'04" E a distance of 397.49 feet to a 1/2" iron rod with
6 cap stamped "PRO TECH" found on the north line of Lot 1, Estrillita
7 Estates as recorded by plat in Volume 7, Page 145 of said plat
8 records for the southwest corner of Lot 3A;
- 9 THENCE S 52°32'55" W a distance of 4.11 feet to an iron rod set for
10 the northwest corner of Lot 1, Estrellita Estates;
- 11 THENCE along the west line of Lot 1, Estrellita Estates the
12 following eight (8) calls:
- 13 1. S 39°12'04" E a distance of 98.79 feet to a 1/2" iron rod found
14 for angle point;
- 15 2. S 12°37'23" E a distance of 101.15 feet to a 1/2" iron rod found
16 for angle point;
- 17 3. S 05°16'37" E a distance of 639.82 feet to a 1/2" iron rod found
18 for angle point;
- 19 4. S 13°21'25" E a distance of 414.64 feet to a 1/2" iron rod found
20 for angle point;
- 21 5. S 49°01'11" E a distance of 179.61 feet to a 1/2" iron rod set
22 for angle point;
- 23 6. S 23°06'17" E a distance of 159.86 feet to a 3/8" iron rod found
24 for angle point;
- 25 7. S 01°08'17"W a distance of 125.52 feet to a 3/8" iron rod found
26 for angle point;
- 27 8. S 02°24'56" E a distance of 257.84 feet to a point for the

1 northeast corner of the O'Quinn Family Cemetery tract as recorded
2 in Document No. 201010031372 of said deed records from which a 1/2"
3 iron rod with cap found bears N 81°49'43" E a distance of 0.59 feet;
4 THENCE with said Cemetery tract the following three (3) calls:
5 1. S 81°49'43" W a distance of 139.26 feet to a 1/2" iron rod with
6 cap found for the northwest corner;
7 2. S 02°33'16" E a distance of 149.97 feet to a 1/2" iron rod with
8 cap found for the southwest corner;
9 3. N 81°52'13" E a distance of 138.88 feet to a point on the west
10 line of Lot 1, Estrellita Estates for the southeast corner of said
11 Cemetery from which a 1/2" iron rod with cap found bears N 81°52'13"
12 E a distance of 1.03 feet;
13 THENCE S 02°24'56" E a distance of 132.94 feet to a mag nail found
14 for the southwest corner of Lot 1, Estrellita Estates and
15 continuing for a total distance of 356.89 feet to a point on the
16 south bank of the Blanco River for the northwest corner of said
17 O'Quinn Land & Cattle Co., LTD 324.442 acre tract;
18 THENCE downstream with the south bank of the Blanco River the
19 following nine (9) calls:
20 1. N 60°14'02" E a distance of 193.77 feet;
21 2. N 65°51'28" E a distance of 183.60 feet;
22 3. N 50°09'43" E a distance of 227.46 feet;
23 4. N 82°00'13" E a distance of 142.24 feet;
24 5. S 78°21'57" E a distance of 132.19 feet;
25 6. S 55°05'17" E a distance of 96.98 feet;
26 7. S 50°59'10" E a distance of 788.01 feet;
27 8. S 56°11'56" E a distance of 250.98 feet;

1 9. S 63°20'26" E a distance of 249.35 feet to a point for the
2 northeast corner hereof and said O'Quinn Land & Cattle Co., LTD
3 324.442 acre tract and the northwest corner of that certain 95.344
4 acre tract of land conveyed to Lamplighter 54, LLC by deed recorded
5 in Volume 3593, Page 511 of said deed records;
6 THENCE S 01°37'07" E, passing a 1/2" iron rod with cap stamped
7 "Driftwood Surveying" found for reference at a distance of 117.88
8 feet and continuing for a total distance of 1518.04 feet to a 1/2"
9 iron rod with cap stamped "Driftwood Surveying" found in the center
10 of a 60' reciprocal easement of record in Volume 1378, Page 385 of
11 said deed records and a 60' ingress - egress easement of record in
12 Volume 1443, Page 572 and amended in Volume 1470, Page 56 of said
13 deed records for a westerly corner of said Lamplighter 54, LLC
14 95.344 acre tract;
15 THENCE with said centerline and continuing with said Lamplighter
16 54, LLC 95.344 acre tract the following five (5) calls:
17 1. N 58°17'45" E a distance of 111.24 feet to a 1/2" iron rod with
18 cap stamped "JE Garon RPLS4303" found for angle point;
19 2. S 71°29'55" E a distance of 186.02 feet to a calculated point
20 from which a 1/2" iron rod with cap stamped "BYRN" found for
21 reference bears S 34°35'42" W a distance of 31.22 feet;
22 3. S 39°18'41" E a distance of 248.00 feet to a calculated point
23 from which a 1/2" iron rod with cap stamped "JE Garon RPLS4303"
24 found for reference bears S 34°13'42" W a distance of 31.28 feet;
25 4. S 72°09'03" E a distance of 176.86 feet to a calculated angle
26 point;
27 5. N 88°15'34" E a distance of 47.81 feet to a calculated point for

1 corner;
2 THENCE S 00°51'24" E, passing a 1/2" iron rod with cap stamped "JE
3 Garon RPLS4303" found for reference at a distance of 29.92 feet and
4 continuing for a total distance of 3880.81 feet to a 1/2" iron rod
5 found for the southeast corner of said O'Quinn Land & Cattle Co.,
6 LTD 324.442 acre tract;
7 THENCE S 89°08'51" W a distance of 2474.70 feet to a 1/2" iron rod
8 with cap stamped "JE Garon RPLS4303" found for the southwest corner
9 of said O'Quinn Land & Cattle Co., LTD 324.442 acre tract and
10 northwest corner of that certain 53.152 acre tract of land conveyed
11 to the E.F. Romano III Trust by deed recorded in Volume 2639, Page
12 309 of said deed records;
13 THENCE S 01°20'07" E a distance of 1151.77 feet to a cedar fence
14 corner post found for the southwest corner of said E.F. Romano III
15 Trust 53.152 acre tract and the William Gray Survey, Abstract 192;
16 THENCE N 89°09'53" E a distance of 3394.68 feet along the south line
17 of said survey to the POINT OF BEGINNING, containing 5003.632 acres
18 of land, more or less.
19 TRACT 2 - 33.145 ACRES
20 LEGAL DESCRIPTION: BEING 33.145 ACRES OF LAND LYING IN AND BEING
21 SITUATED OUT OF THE DAVID WILSON SURVEY, ABSTRACT NO. 476, THE F.W.
22 ROBERTSON SURVEY, ABSTRACT NO. 385 AND THE HUGH G. PANNELL SURVEY,
23 ABSTRACT NO. 368, ALL IN HAYS COUNTY, TEXAS AND BEING A PORTION OF
24 THAT CERTAIN 4,924.865 ACRE TRACT OF LAND CONVEYED TO O'QUINN LAND &
25 CATTLE COMPANY, LTD. BY DEED RECORDED IN DOCUMENT NO. 9927995 OF THE
26 DEED RECORDS OF HAYS COUNTY, TEXAS; SAID 33.145 ACRES BEING MORE
27 PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED ON THE GROUND

1 UNDER THE SUPERVISION OF JAMES E. GARON, REGISTERED PROFESSIONAL
2 LAND SURVEYOR IN AUGUST, 2010:
3 BEGINNING at a 1/2" iron rod set on the northerly line of Fulton
4 Ranch Road, a sixty (60) foot wide dedicated right-of-way to Hays
5 County, Texas by deed recorded in Volume 2507, Page 881 of said deed
6 records for the southeasterly corner of that certain 22.874 acre
7 tract of land conveyed to E.F. Romano III Trust by deed recorded in
8 Volume 3762, Page 237 of said deed records for the southwesterly
9 corner hereof;
10 THENCE with easterly and northerly lines of said Romano 22.874 acre
11 tract the following eleven (11) calls:
12 1. N 20°53'51" E a distance of 334.69 feet to a 1/2" iron rod set
13 for angle point,
14 2. N 61°43'20" E a distance of 166.98 feet to a 1/2" iron rod set
15 for angle point,
16 3. N 05°26'44" E a distance of 59.60 feet to a 1/2" iron rod set for
17 angle point,
18 4. N 32°13'15" E a distance of 180.33 feet to a 1/2" iron rod set
19 for angle point,
20 5. N 07°23'35" E a distance of 153.84 feet to a 1/2" iron rod set
21 for angle point,
22 6. N 08°35'30" W a distance of 151.44 feet to a 1/2" iron rod set
23 for angle point,
24 7. N 24°05'46" W a distance of 145.46 feet to a 1/2" iron rod set
25 for angle point,
26 8. N 43°26'11" W a distance of 143.96 feet to a 1/2" iron rod set
27 for angle point,

- 1 9. N 85°14'27" W a distance of 136.21 feet to a 1/2" iron rod set
2 for angle point,
- 3 10. S 59°33'31" W a distance of 167.29 feet to a 1/2" iron rod set
4 for angle point,
- 5 11. S 23°48'31" W a distance of 301.42 feet to a 1/2" iron rod found
6 in the easterly line of that certain 172.761 acre tract of land
7 conveyed to Texas Porch House, Inc. by deed recorded in Volume 1383,
8 Page 142 of said deed records and a westerly line of said O'Quinn
9 4,924.865 acre tract,
- 10 THENCE with the easterly line of said Texas Porch House tract and
11 the westerly line of said O'Quinn 4,924.865 acre tract for a
12 westerly line hereof the following ten (10) calls:
- 13 1. N 04°37'32" E a distance of 237.10 feet to a 1/2" iron rod found
14 for angle point,
- 15 2. N 00°01'52" W a distance of 359.83 feet to a 1/2" iron rod found
16 for angle point,
- 17 3. N 12°03'15" E a distance of 67.60 feet to a 1/2" iron rod found
18 for angle point,
- 19 4. N 28°38'32" E a distance of 116.03 feet to a 1/2" iron rod found
20 for angle point,
- 21 5. N 15°41'54" W a distance of 106.67 feet to a fence corner post
22 found for angle point,
- 23 6. N 33°07'20" W a distance of 135.09 feet to a 60d nail in fence
24 corner post found for angle point,
- 25 7. N 38°56'02" W a distance of 428.43 feet to a 1/2" iron rod set
26 for angle point,
- 27 8. N 38°08'41" W a distance of 414.01 feet to a 1/2" iron rod found

1 for angle point,
2 9. N 00°27'03" W a distance of 1055.11 feet to a 1/2" iron rod set
3 for angle point,
4 10. N 01°17'19" W a distance of 354.66 feet to a 1/2" iron rod set
5 in the curving westerly line of Fulton Ranch Road, a seventy-five
6 (75) foot wide right-of-way dedicated to Hays County, Texas by deed
7 recorded in Volume 2028, Page 544 of said deed records for the most
8 northerly corner hereof;
9 THENCE with the westerly and northerly right-of-way lines of said
10 Fulton Ranch Road for easterly and southerly line hereof the
11 following twenty (20) calls:
12 1. an arc length of 72.70 feet along said curve to the right having
13 a radius of 263.04 feet and a chord bearing S 09°10'10" E, a chord
14 length of 72.47 feet to a 1/2" iron rod set for an endpoint of said
15 curve,
16 2. S 01°17'19" E a distance of 283.25 feet to a 1/2" iron rod set
17 for angle point,
18 3. S 00°34'15" E a distance of 806.73 feet to a 1/2" iron rod set at
19 the beginning of a curve to the left,
20 4. an arc length of 141.49 feet along said curve to the left having
21 a radius of 337.50 feet and a chord bearing S 12°34'54" E, a chord
22 length of 140.46 feet to a 1/2" iron rod set for an endpoint of said
23 curve,
24 5. S 25°05'33" E a distance of 275.31 feet to a 1/2" iron rod set at
25 the beginning of a curve to the left,
26 6. an arc length of 44.52 feet along said curve to the left having
27 a radius of 300.00 feet and a chord bearing S 29°20'37" E a chord

1 length of 44.48 feet to a 1/2" iron rod set for an endpoint of said
2 curve,
3 7. S 33°35'41" E a distance of 251.24 feet to a 1/2" iron rod set at
4 the beginning of a curve to the left,
5 8. an arc length of 454.68 feet along said curve to the left having
6 a radius of 737.50 feet and a chord bearing S 51°32'55" E a chord
7 length of 447.51 feet to a 1/2" iron rod set for an endpoint of said
8 curve,
9 9. S 69°12'36" E a distance of 586.80 feet to a 1/2" iron rod set at
10 the beginning of a curve to the right,
11 10. an arc length of 727.74 feet along said curve to the right
12 having a radius of 654.50 feet and a chord bearing S 34°23'10" E, a
13 chord length of 690.83 feet to a 1/2" iron rod set for an endpoint of
14 said curve,
15 11. S 02°31'56" E a distance of 420.28 feet to a 1/2" iron rod set
16 at the beginning of a curve to the left,
17 12. an arc length of 196.68 feet along said curve to the left
18 having a radius of 414.50 feet and a chord bearing S 16°07'33" E a
19 chord length of 194.84 feet to a 1/2" iron rod set for an endpoint of
20 said curve,
21 13. S 29°43'10" E a distance of 174.44 feet to a 1/2" iron rod set
22 at the beginning of a curve to the right,
23 14. an arc length of 348.40 feet along said curve to the right
24 having a radius of 262.50 feet and a chord bearing S 08°18'10" W, a
25 chord length of 323.39 feet to a 1/2" iron rod set at the
26 southwesterly corner of said Fulton Ranch Road, seventy-five (75)
27 foot wide right-of-way dedication for an angle point,

1 15. S 44°51'54" E a distance of 11.21 feet to a 1/2" iron rod set at
2 the most northeasterly corner of Fulton Ranch Road, a sixty (60)
3 foot wide dedicated right-of-way to Hays County, Texas by deed
4 recorded in Volume 2507, Page 881 of said deed records,
5 16. an arc length of 233.64 feet along said curve to the right
6 having a radius of 345.00 feet and a chord bearing S 68°26'21" W, a
7 chord length of 229.20 feet to a 1/2" iron rod set for an endpoint of
8 said curve,
9 17. S 87°50'22" W a distance of 234.12 feet to a 1/2" iron rod set
10 at the beginning of a curve to the right,
11 18. an arc length of 312.42 feet along said curve to the right
12 having a radius of 570.00 feet and a chord bearing N 76°27'30" W, a
13 chord length of 308.53 feet to a 1/2" iron rod set for an endpoint of
14 said curve,
15 19. N 60°45'22" W a distance of 102.31 feet to a 1/2" iron rod set
16 at the beginning of a curve to the left,
17 20. an arc length of 171.70 feet along said curve to the left
18 having a radius of 805.00 feet and a chord bearing N 66°51'59" W, a
19 chord length of 171.37 feet to the POINT OF BEGINNING, containing
20 33.145 acres of land, more or less.

21 TRACT 3 - 1.640 ACRES

22 LEGAL DESCRIPTION: BEING 1.640 ACRES OF LAND LYING IN AND BEING
23 SITUATED OUT OF THE DAVID WILSON SURVEY, ABSTRACT NO. 476 IN HAYS
24 COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 4,924.865 ACRE
25 TRACT OF LAND CONVEYED TO O'QUINN LAND & CATTLE COMPANY, LTD. BY
26 DEED RECORDED IN DOCUMENT NO. 9927995 OF THE DEED RECORDS OF HAYS
27 COUNTY, TEXAS; SAID 1.640 ACRES BEING MORE PARTICULARLY DESCRIBED

1 AS FOLLOWS AND AS SURVEYED ON THE GROUND UNDER THE SUPERVISION OF
2 JAMES E. GARON, REGISTERED PROFESSIONAL LAND SURVEYOR IN AUGUST,
3 2010:
4 BEGINNING at a 1/2" iron rod found in the easterly line of Lot 120,
5 Saddleridge, a subdivision recorded in Volume 7, Pages 348-354 of
6 the Plat Records of Hays County, Texas for a northwesterly corner of
7 that certain 388.68 acre tract of land conveyed to Ingram Ranches I,
8 Ltd. by deed recorded in Volume 1197, Page 550 of said deed records
9 and an angle point in the west line of said O'Quinn 4,924.865 acre
10 tract for a westerly corner hereof;
11 THENCE N 00°42'41" W a distance of 160.66 feet with the easterly line
12 of said Saddleridge and the westerly line of said O'Quinn 4,924.865
13 acre tract for the westerly line hereof to a 1/2" iron rod set at the
14 endpoint of a curve in southwesterly line of Fulton Ranch Road, a
15 sixty (60) foot wide right-of-way dedicated to Hays County, Texas
16 by deed recorded in Volume 2507, Page 881 of said deed records for
17 the most northerly corner hereof;
18 THENCE with the southwesterly right-of-way line of said Fulton
19 Ranch Road, an arc length of 255.35 feet along said curve to the
20 left having a radius of 230.00 feet and a chord bearing S 32°32'51"
21 E, a chord length of 242.44 feet to a 1/2" iron rod set for an
22 endpoint of said curve and S 64°19'24" E a distance of 5271.98 feet
23 to a 1/2" iron rod set at the northwesterly corner of that certain
24 126.836 acre tract of land conveyed to E.F. Romano III Trust by deed
25 recorded in Volume 3762, Page 236 of said deed records for an
26 easterly corner hereof;
27 THENCE S 25°22'59" W a distance of 8.07 feet to a 1/2" iron rod set in

1 the northeasterly line of said Ingram Ranches I, Ltd. 388.68 acre
2 tract of land and the southwesterly line of said O'Quinn 4,924.865
3 acre tract for a westerly corner of said Romano 126.836 acre
4 tract-of land;

5 THENCE with the northeasterly line of said Ingram 388.68 acre tract
6 and the southwesterly line of said O'Quinn 4,924.865 acre tract the
7 following five (5) calls:

- 8 1. N 64°37'01" W a distance of 1926.82 feet to a 1/2" iron rod set
9 for angle point,
- 10 2. N 64°06'10" W a distance of 924.94 feet to a 1/2" iron rod set
11 for angle point,
- 12 3. N 64°43'32" W a distance of 420.52 feet to a 1/2" iron rod set
13 for angle point,
- 14 4. N 63°31'24" W a distance of 1017.94 feet to a 1/2" iron rod set
15 for angle point,
- 16 5. N 64°59'49" W a distance of 1116.71 feet to the POINT OF
17 BEGINNING, containing 1.640 acres of land, more or less.

18 TRACT 4 - 1.500 ACRES

19 LEGAL DESCRIPTION: BEING 1.500 ACRES OF LAND LYING IN AND BEING
20 SITUATED OUT OF THE DAVID WILSON SURVEY, ABSTRACT NO. 476 IN HAYS
21 COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 4,924.865 ACRE
22 TRACT OF LAND CONVEYED TO O'QUINN LAND & CATTLE COMPANY, LTD. BY
23 DEED RECORDED IN DOCUMENT NO. 9927995 OF THE DEED RECORDS OF HAYS
24 COUNTY, TEXAS; SAID 1.500 ACRES BEING MORE PARTICULARLY DESCRIBED
25 AS FOLLOWS AND AS SURVEYED ON THE GROUND UNDER THE SUPERVISION OF
26 JAMES E. GARON, REGISTERED PROFESSIONAL LAND SURVEYOR IN AUGUST,
27 2010:

1 BEGINNING at a 1/2" iron rod found in the westerly line of said
2 O'Quinn 4,924.865 acre tract at the northeasterly corner of Lot
3 104, Saddleridge, a subdivision recorded in Volume 7, Pages 348-354
4 of the Plat Records of Hays County, Texas and a southerly corner of
5 that certain 955.36 acre tract of land conveyed to H.W. Lennie by
6 deed recorded in Volume 152, Page 219 of said deed records;
7 THENCE with the common line of said Lennie 955.36 acre tract and
8 O'Quinn 4,924.865 acre tract the following four (4) calls:
9 1. N 26°57'42" E a distance of 230.96 feet to a fence corner post
10 found for angle point,
11 2. N 88°47'41" E a distance of 992.46 feet to a fence corner post
12 found for angle point,
13 3. N 03°49'20" E a distance of 301.14 feet to a 1/2" iron rod at
14 fence corner post found for angle point,
15 4. N 32°19'27" E a distance of 85.60 feet to a calculated point in
16 the curving westerly line of Fulton Ranch Road, a sixty (60) foot
17 wide right-of-way dedicated to Hays County, Texas by deed recorded
18 in Volume 2507, Page 881 of said deed records for the most northerly
19 corner hereof;
20 THENCE with westerly and northerly right-of-way lines of said
21 Fulton Ranch Road the following six (6) calls:
22 1. an arc length of 168.78 feet along said curve to the left having
23 a radius of 430.00 feet and a chord bearing S 13°42'07" W, a chord
24 length of 167.70 feet to a 1/2" iron rod set for an endpoint,
25 2. S 02°27'27" W a distance of 179.23 feet to a 1/2" iron rod set at
26 the beginning of a curve to the right,
27 3. an arc length of 68.27 feet along said curve to the right having

1 a radius of 45.00 feet and a chord bearing S 45°55'14" W, a chord
2 length of 61.91 feet to a 1/2" iron rod set for an endpoint,
3 4. S 89°23'02" W a distance of 632.37 feet to a 1/2" iron rod set at
4 the beginning of a curve to the left,
5 5. an arc length of 672.78 feet along said curve to the left having
6 a radius of 430.00 feet and a chord bearing S 44°27'07" W, a chord
7 length of 606.23 feet to a 1/2" iron rod set for an endpoint,
8 6. S 00°31'45" E a distance of 3534.73 feet to a 1/2" iron rod set
9 for the most southerly corner hereof, being in the westerly line of
10 Lot 120 of said Saddleridge, being an easterly line of said O'Quinn
11 4,924.865 acre tract;
12 THENCE N 00°42'41" W a distance of 3759.93 feet with the common line
13 of said Saddleridge and said O'Quinn 4,924.865 acre tract to the
14 POINT OF BEGINNING, containing 1.500 acres of land, more or less.
15 TRACT 5 - 0.103 ACRE
16 LEGAL DESCRIPTION: BEING 0.103 ACRE OF LAND LYING IN AND BEING
17 SITUATED OUT OF THE DAVID WILSON SURVEY, ABSTRACT NO. 476 IN HAYS
18 COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 4,924.865 ACRE
19 TRACT OF LAND CONVEYED TO O'QUINN LAND & CATTLE COMPANY, LTD. BY
20 DEED RECORDED IN DOCUMENT NO. 9927995 OF THE DEED RECORDS OF HAYS
21 COUNTY, TEXAS; SAID 0.103 ACRE BEING MORE PARTICULARLY DESCRIBED AS
22 FOLLOWS AND AS SURVEYED ON THE GROUND UNDER THE SUPERVISION OF JAMES
23 E. GARON, REGISTERED PROFESSIONAL LAND SURVEYOR IN AUGUST, 2010:
24 BEGINNING at a 1/2" iron rod set in the easterly line of that
25 certain 955.36 acre tract of land conveyed to H.W. Lennie by deed
26 recorded in Volume 152, Page 219 of said deed records and a westerly
27 line of said O'Quinn 4,924.865 acre tract and Fulton Ranch Road, a

1 sixty (60) foot wide right-of-way dedicated to Hays County, Texas
2 by deed recorded in Volume 2507, Page 881 of said deed records for
3 the most southerly corner hereof, from which a 1/2" iron rod found
4 at the northeasterly corner of Lot 104, Saddleridge, a subdivision
5 recorded in Volume 7, Pages 348-354 of the Plat Records of Hays
6 County, Texas and a southerly corner of said Lennie 955.36 acre
7 tract bears the following five (5) calls:

- 8 1. S 32°28'20" W a distance of 112.64 feet,
- 9 2. S 32°19'27" W a distance of 85.60 feet,
- 10 3. S 03°49'20" W a distance of 301.14 feet,
- 11 4. S 88°47'41" W a distance of 992.46 feet,
- 12 5. S 26°57'42" W a distance of 230.96 feet;

13 THENCE with the common line of said Lennie 955.36 acre tract and
14 O'Quinn 4,924.865 acre tract, N 32°19'27" E a distance of 93.10 feet
15 to a 1/2" iron rod found for angle point and N 40°56'43" E a distance
16 of 494.99 feet to a calculated point in the curving westerly
17 right-of-way line of said Fulton Ranch Road for the most northerly
18 corner hereof;

19 THENCE with westerly the right-of-way line of said Fulton Ranch
20 Road the following three (3) calls:

- 21 1. an arc length of 144.82 feet along said curve to the right having
22 a radius of 2470.00 feet and a chord bearing S 38°19'07" W, a chord
23 length of 144.80 feet to a 1/2" iron rod set for an endpoint,
- 24 2. S 39°59'53" W a distance of 440.24 feet to a 1/2" iron rod set at
25 the beginning of a curve to the left,
- 26 3. an arc length of 2.22 feet along said curve to the left having a
27 radius of 430.00 feet and a chord bearing S 39°51 '00" W, a chord

1 length of 2.22 feet to the POINT OF BEGINNING, containing 0.103 acre
2 of land, more or less.

3 TRACT 6 - 0.258 ACRE

4 LEGAL DESCRIPTION: BEING A 0.258 ACRE TRACT OF LAND LYING IN AND
5 BEING SITUATED OUT OF THE DAVID WILSON SURVEY, ABSTRACT NO. 476 IN
6 HAYS COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 4,924.865
7 ACRE TRACT OF LAND CONVEYED TO O'QUINN LAND & CATTLE COMPANY, LTD.
8 BY DEED RECORDED IN DOCUMENT NO. 9927995 OF THE DEED RECORDS OF HAYS
9 COUNTY, TEXAS; SAID 0.258 ACRE BEING MORE PARTICULARLY DESCRIBED AS
10 FOLLOWS AND AS SURVEYED ON THE GROUND UNDER THE SUPERVISION OF JAMES
11 E. GARON, REGISTERED PROFESSIONAL LAND SURVEYOR IN AUGUST, 2010:

12 BEGINNING at a 1/2" iron rod set in the westerly line of Fulton
13 Ranch Road, a sixty (60) foot wide right-of-way dedicated to Hays
14 County, Texas by deed recorded in Volume 2507, Page 881 of said deed
15 records for the most southerly corner of that certain 22.874 acre
16 tract of land conveyed to E.F. Romano III Trust by deed recorded in
17 Volume 3762, Page 237 of said deed records;

18 THENCE with westerly the right-of-way line of said Fulton Ranch
19 Road, S 21°42'50" W a distance of 226.02 feet to a 1/2" iron rod set
20 at the beginning of a curve to the right and an arc length of 543.84
21 feet along the arc of said curve to the right having a radius of
22 2470.00 feet and a chord bearing S 28°01'18" W, a chord length of
23 542.75 feet to a calculated point in the easterly line of that
24 certain 955.36 acre tract of land conveyed to H.W. Lennie by deed
25 recorded in Volume 152, Page 219 of said deed records and a westerly
26 line of said O'Quinn 4,924.865 acre tract for the most southerly
27 corner hereof;

1 THENCE with the common line of said Lennie 955.36 acre tract and
2 O'Quinn 4,924.865 acre tract, N 26°44'53" E a distance of 655.85
3 feet to a 1/2" iron rod found for angle point and N 16°22'14" E a
4 distance of 259.48 feet to a 1/2" iron rod set in the westerly line
5 of said Romano 22.874 acre tract for the most northerly corner
6 hereof;

7 THENCE S 11°32'10" W a distance of 148.52 feet to the POINT OF
8 BEGINNING, containing 0.258 acre of land, more or less.

9 TRACT 7 - 0.961 ACRE

10 LEGAL DESCRIPTION: BEING 0.961 ACRE OF LAND LYING IN AND BEING
11 SITUATED OUT OF THE HUGH G. PANNELL SURVEY, ABSTRACT NO. 368 IN HAYS
12 COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 4,924.865 ACRE
13 TRACT OF LAND CONVEYED TO O'QUINN LAND & CATTLE COMPANY, LTD. BY
14 DEED RECORDED IN DOCUMENT NO. 9927995 OF THE DEED RECORDS OF HAYS
15 COUNTY, TEXAS; SAID 0.961 ACRE BEING MORE PARTICULARLY DESCRIBED AS
16 FOLLOWS AND AS SURVEYED ON THE GROUND UNDER THE SUPERVISION OF JAMES
17 E. GARON, REGISTERED PROFESSIONAL LAND SURVEYOR IN AUGUST, 2010:

18 BEGINNING at a 1/2" iron rod set at the intersection of the curving
19 southerly line of Fulton Ranch Road, a seventy-five (75) foot wide
20 right-of-way dedicated to Hays County, Texas by deed recorded in
21 Volume 2028, Page 544 of said deed records with the northerly line
22 of that certain 172.761 acre tract of land conveyed to Texas Porch
23 House, Inc. by deed recorded in Volume 1383, Page 142 of said deed
24 records and a southerly line of said O'Quinn 4,924.865 acre tract
25 for the southeast corner hereof, from which a 1/2" iron rod found at
26 the northeast corner of said Texas Porch House 172.761 acre tract
27 and an ell corner of said O'Quinn 4,924.865 acre tract bears N

1 88°43'00" E a distance of 38.27 feet;
2 THENCE S 88°43'00" W a distance of 519.30 feet with the northerly
3 line of said Texas Porch House 172.761 acre tract to a 1/2" iron rod
4 set for the southwest corner hereof;
5 THENCE with the southerly right-of-way line of Fulton Ranch Road
6 the following four (4) calls:
7 1. N 54°31'07" E a distance of 143.29 feet to a 1/2" iron rod set at
8 the beginning of a curve to the right,
9 2. an arc length of 144.51 feet along said curve to the right
10 having a radius of 212.50 feet and a chord bearing N 74°00'03" E, a
11 chord length of 141.74 feet to a 1/2" iron rod set for an endpoint,
12 3. S 86°31'01" E a distance of 71.00 feet to a 1/2" iron rod set at
13 the beginning of a curve to the right,
14 4. an arc length of 229.67 feet along said curve to the right
15 having a radius of 262.50 feet and a chord bearing S 61°27'06" E, a
16 chord length of 222.42 feet to the POINT OF BEGINNING, containing
17 0.961 acre of land, more or less.

18 SECTION 3. (a) The legal notice of the intention to
19 introduce this Act, setting forth the general substance of this
20 Act, has been published as provided by law, and the notice and a
21 copy of this Act have been furnished to all persons, agencies,
22 officials, or entities to which they are required to be furnished
23 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
24 Government Code.

25 (b) The governor, one of the required recipients, has
26 submitted the notice and Act to the Texas Commission on
27 Environmental Quality.

1 (c) The Texas Commission on Environmental Quality has filed
2 its recommendations relating to this Act with the governor, the
3 lieutenant governor, and the speaker of the house of
4 representatives within the required time.

5 (d) All requirements of the constitution and laws of this
6 state and the rules and procedures of the legislature with respect
7 to the notice, introduction, and passage of this Act are fulfilled
8 and accomplished.

9 SECTION 4. (a) If this Act does not receive a two-thirds
10 vote of all the members elected to each house, Subchapter C, Chapter
11 8471, Special District Local Laws Code, as added by Section 1 of
12 this Act, is amended by adding Section 8471.103 to read as follows:

13 Sec. 8471.103. NO EMINENT DOMAIN POWER. The district may
14 not exercise the power of eminent domain.

15 (b) This section is not intended to be an expression of a
16 legislative interpretation of the requirements of Subsection (c),
17 Section 17, Article I, Texas Constitution.

18 SECTION 5. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2013.